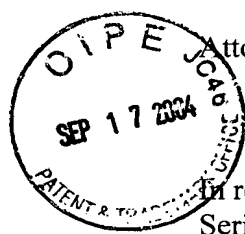


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Attorney Docket No. BS01-143 (9400-127)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

In re: Scott C. Holt *et al.*

Confirmation No.: 6158

SEP 22 2004

Serial No.: 10/021,049

Examiner: Gerald Gauthier

OFFICE OF PETITIONS

Filed: December 19, 2001

Group Art Unit: 2645

For: SYSTEMS AND METHODS FOR MONITORING NETWORK-BASED VOICE
MESSAGING SYSTEMS

September 17, 2004

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. 1.137(b)**

Sir:

The above-identified application may have become abandoned for failure to timely file a notice of foreign filing within 45 days of the foreign filing in accordance with 35 U.S.C. § 122(b)(2)(B)(iii) and 37 C.F.R. § 1.213(c).

The entire delay in filing the notice of foreign filing from the due date of the notice to the filing of a grantable petition under 37 C.F.R. 1.137(b) was unintentional. In particular, a non-publication request was filed in the above-referenced application on December 19, 2001 by Petitioners' former representative. On January 7, 2003, a Rescission of Non-Publication Request was filed by Petitioners' former representative. The prosecution of the above referenced application was recently transferred to Petitioners' current representative, Myers Bigel Sibley and Sajovec. A Notice of Allowance was mailed in the above-referenced application on June 29, 2004, and was received by Petitioners' current representative on July 7, 2004. Upon reviewing the file for allowance, it came to Petitioners attention that, although a Rescission of Non-Publication Request was filed well within 45 days of the foreign filing date of the PCT application (PCT/US02/39855), which was filed on December 13, 2002, a notice of foreign filing was not filed with the Rescission of Non-Publication Request in compliance with 35 U.S.C. § 122(b)(2)(B)(iii). Thus, the above-referenced application may be abandoned as stated in 35 U.S.C. § 122(b)(2)(B)(iii). Accordingly, Petitioners respectfully request revival of the above-referenced application as it was unintentionally abandoned by not timely filing a notice of foreign filing.

Petitioners submit herewith a Notice of Foreign Filing in compliance with the 37 C.F.R. § 1.213(c) and request that this Notice be accepted as timely filed for the reasons

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discussed herein.

A check for \$1330 for the petition fee required by 37 C.F.R. § 1.17(m) is submitted herewith. The Commissioner is authorized to charge any additional fee, or credit any refund, to our Deposit Account No. 50-0220.

Petitioners respectfully request that the above-identified application be revived as it was unintentionally abandoned.

Respectfully submitted,

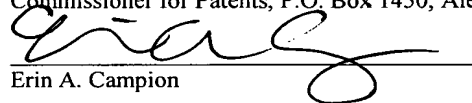


Elizabeth A. Stanek
Registration No. 48,568

CERTIFICATE OF EXPRESS MAILING

Express Mail Label No. EV 473657567 US
Date of Deposit: September 17, 2004

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Erin A. Campion